

Message Text

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PAGE 01 PARIS 12382 01 OF 02 281803Z

47

ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 L-03 FAA-00 COME-00 DODE-00

EPA-04 NASA-02 CAB-05 CIAE-00 DOTE-00 EB-07 INR-07

NSAE-00 AID-05 CEQ-01 IO-13 NSF-02 NSC-05 PM-04 SS-15

SP-02 FEAE-00 INT-05 SSO-00 INRE-00 USIE-00 NSCE-00

PRS-01 PA-02 /102 W

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O R 281738Z APR 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 314

INFO AMEMBASSY LONDON

UNCLAS SECTION 1 OF 2 PARIS 12382

EO 11652 NA

TAGS SENV FR, UK

SUBJECT: TRIPARTITE AGREEMENT ON STRATOSPHERIC OZONE
MONITORING

REF: STATE 100524

1. CONTENTS OF REFTEL DISCUSSED WEDNESDAY, APRIL 28,
WITH MFA SCIENTIFIC DIRECTOR DE NAZELLE AND BRITISH
EMBASSY SCICOUN MACRAE. DURING DISCUSSION DE NAZELLE
CONSULTED WITH BALAZARD ON ALL U.S.-SUGGESTED CHANGES.
THE FOLLOWING REPRESENTS THE CONSENSUS OF THAT MEETING.
MACRAE IS CONSULTING LONDON; PRESUMABLY DE NAZELLE
WILL CONSULT MFA LAWYERS. FOR PLANNING PURPOSES,
SIGNATURE OF AGREEMENT IS SCHEDULED FOR 12:15
WEDNESDAY, MAY 5, AT MFA WITH MFA SECRETARY GENERAL
AND UK AND US AMBASSADORS.

2. SUGGESTED CHANGES TO PREAMBLE PRESENTED TO FRENCH
AND UK SOME DIFFICULT PROBLEMS. THE NEW PARAGRAPH 3
WAS DEFINITELY NOT ACCEPTABLE AS IT WAS NEGATIVE; THE
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PAGE 02 PARIS 12382 01 OF 02 281803Z

FRENCH WOULD NOT AGREE TO STATE NOW THAT THERE WOULD

NOT BE SUFFICIENT DATA IN THE NEAR TERM TO INDICATE EFFECT OF MAN-RELATED ACTIVITIES ON THE STRATOSPHERE. UK AND FRANCE ENCOURAGED US TO EXPRESS VIEWS REPRESENTED BY THIS PARAGRAPH IN ACCOMPANYING PRESS RELEASE. NEW PARAGRAPH 4 OF PREAMBLE INCLUDED PHRASE "ACCURATELY PREDICT AND QUANTIFY THE IMPACT" WHICH IN FRENCH VIEW WAS WELL BEYOND EXPECTATION, HAD BEEN BRIEFLY DISCUSSED DURING THE APRIL 14-15 MEETING, AND WAS NOT ACCEPTABLE; THUS CONSENSUS WAS TO REMAIN WITH ORIGINAL PARAGRAPH 4 OF PREAMBLE. OLD PARAGRAPH 3 OF PREAMBLE WAS CHANGED TO ACCOMMODATE US SUGGESTION "TO MEASURE AND MONITOR STRATOSPHERIC CONSTITUENTS, INCLUDING OZONE AND POTENTIAL POLLUTANTS IS ESSENTIAL." SIMILAR CONSTRUCTION WAS GIVEN TO OLD PARAGRAPH 5, "TO ASSESS CONCENTRATIONS OF OZONE AND POTENTIAL POLLUTANTS, AS WELL AS." THE UK DEFINITELY PREFERRED TO RETAIN THE PARENTHETICAL PHRASE, WHICH THEY CHANGED TO READ, "(HEREINAFTER REFERRED TO AS)" FOR USE BEFORE THE INITIALS WMO AND UNEP.

3. ARTICLE I. THE WORD "OZONE" IS DELETED (PLEASE REFER TO DISCUSSION ON ARTICLE IV AND UK RESERVATION THERETO).

4. ARTICLE II. DELETION OF "OZONE" RETENTION OF "COLLABORATION," AND SUBSTITUTION OF "STUDIED" FOR "CONSIDERED" AGREED. IN PARAGRAPH 1 "OZONE" IS DELETED. IN PARAGRAPH 2 "RELEVANT " SUBSTITUTED FOR "OZONE" AND "DATA" INSERTED BEFORE "ACQUISITION". IN PARAGRAPH 3 "OZONE" DELETED AND ADDITIONAL US SENTENCE AGREED EXCEPT FOR FINAL PHRASE, "AND THE RESULTS SHOULD BE COMMUNICATED TO THEM," AS THE FRENCH DID NOT WISH TO HAVE SUCH AN OBLIGATION ALTHOUGH THEY WERE NOT OPPOSED TO MAINTAINING NORMAL COMMUNICATIONS WITH THESE ORGANIZATIONS AND GOVERNMENTS.

5. ARTICLE III. "CONCERNING" SUBSTITUTED FOR "ABOUT" FRANCE OBJECTED TO INCLUDING PHRASE "AULATION-RELATED ACTIVITIES" AS COVOS MUCH UNCLASSIFIED

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PAGE 03 PARIS 12382 01 OF 02 281803Z

BROADER. FRANCE AND UK DID NOT OBJECT TO US AGENCIES BEING IDENTIFIED IF UNDER FOLLOWING CONSTRUCTION: "PARTICULAR ATTENTION SHALL BE PAID IN THE US TO THE HAPP OF THE FAA AND RELEVANT WORK OF NOAA, NASA AND EPA; IN FRANCE TO THE ACTIVITIES OF COVOS IN REGARD TO THE STRATOSPHERE; AND IN THE UK, ETC."

6. ARTICLE IV. "FURTHER THE UNDERSTANDING OF" AND
"FOR STUDY" ACCEPTED. WITH REGARD TO US-SUGGESTED
CHANGES IN FIRST PHRASE OF SECOND SENTENCE, UK NOTED
THAT IT MUST RESERVE ON THE US PROPOSAL TO ELIMINATE
THE LIMITATION TO OZONE IN ARTICLE I TO III, AND THE
EMBASSY PROMISED TO QUICKLY REVIEW THIS ASPECT WITH
LONDON. IF AGREEABLE TO US-SUGGESTED DELETION OF
"OZONE" IN ARTICLE I TO III, FIRST PORTION OF SECOND
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PAGE 01 PARIS 12382 02 OF 02 281915Z

47
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O R 281738Z APR 76
FM AMEMBASSY PARIS
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UNCLAS SECTION 2 OF 2 PARIS 12382

SENTENCE WOULD READ., "PARTICULAR CONSIDERATION SHALL
BE GIVEN TO THE MEASUREMENT OF OZONE AND OTHER NATURAL
AND MAN-MADE SUBSTANCES, SUCH AS NITROGEN OXIDE,
ETC.; THE NEEDS FOR IMPROVEMENTS."

7. ARTICLE V. THE ADDITION OF THE WORLD "NATIONAL"
AGREED.

8. ARTICLE VI. "ASSURE THAT SUCH A PROGRAM SHALL
... AND FUTURE EFFORTS ... IDENTIFY SPECIFIC
AREAS REQUIRING ... ATTENTION SHALL BE GIVEN ...

OF OZONE CHANGES TO FACILITATE THE DEVELOPMENT OF APPROPRIATE STANDARDS AND, IN TURN, THE ESTABLISHMENT OF REGULATORY MEASURES IF DEEMED NECESSARY." THE FRENCH INSISTED THAT "STANDARDS" AND "REGULATORY MEASURES" BE MENTIONED, AND THEY WOULD NOT AGREE TO THE MENTION OF "INTERNATIONAL REGULATION." ALTHOUGH "INTERNATIONAL STANDARDS BY ICAO" IS MENTIONED IN ARTICLE VII, FRENCH DID NOT FEEL THAT THE SAME CONTEXT APPLIED TO ARTICLE VI.

9. ARTICLE VII. "SCIENTIFIC BASIS, FUTURE NEED AND UNCLASSIFIED

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PAGE 02 PARIS 12382 02 OF 02 281915Z

FEASIBILITY OF DEVELOPING INTERNATIONAL STANDARDS FOR STRATOSPHERIC POLLUTION ... RECOMMENDATIONS AS NECESSARY." SECOND PARAGRAPH: ENCOURAGE OTHER ... UNDERTAKE SIMILAR EFFORTS, AS NECESSARY, WITH RESPECT TO OTHER POTENTIAL SOURCES ...". AGAIN, THE FRENCH DID NOT WISH TO MENTION OR IMPLY INTERNATIONAL REGULATORY CONTROLS AND PREFERRED TO INTERPRET STANDARDS AS NORMS FOR DEFINING LEVELS OF POLLUTION.

10. ARTICLE VIII. US CHANGES AGREED.

11. ARTICLE IX. "ONE YEAR FOLLOWING SIGNATURE ... A JOINT REPORT ... ACHIEVED UNDER THIS AGREEMENT." FRENCH AND UK WISHED TO MAKE VERY CLEAR THAT ONLY ACCOMPLISHMENTS UNDER THE AGREEMENT NEED BE JOINTLY REPORTED.

12. US CHANGES TO ARTICLES X, XI, XII, AND XIII AGREED.

13. FRENCH PROPOSE FOLLOWING NEW ARTICLE XIV: "THE ORIGINAL OF THIS AGREEMENT, THE ENGLISH AND FRENCH TEXTS BEING EQUALLY AUTHENTIC, WILL BE DEPOSITED WITH THE GOVERNMENT OF THE FRENCH REPUBLIC, WHICH WILL GIVE TO EACH OF THE SIGNATORY GOVERNMENTS A CERTIFIED COPY." THE FRENCH MFA TREATY OFFICIALS PREFER TO HANDLE THIS AGREEMENT IN THIS WAY. THEY PLAN TO HAVE THE FRENCH AND ENGLISH TEXTS APPEAR SIDE BY SIDE WITH COPIES PREPARED TO REFLECT PRECEDENT FOR EACH SIGNATORY.

14. THE FRENCH CHANGES WERE LIMITED TO THE SUGGESTION OF THE NEW ARTICLE XIV. THE UK ASKED THAT "BEHAVIOUR," "ENDEAVOUR," AND "PROGRAMME" BE USED. BOTH FRANCE AND THE UK DESIRE TO MEET SECRETARY COLEMAN'S REQUEST FOR AN AGREEMENT WITHIN 90 DAYS; THE EXTENSIVE NUMBER OF US CHANGES MAY GIVE SOME DOUBT AS TO WHETHER THE US INTENDS TO COMPLY. WE BELIEVE THE CONSENSUS PRESENTED ABOVE ACCOMPLISHES A LARGE NUMBER OF THE DESIRED US CHANGES, AND WE

BELIEVE SHOULD BE ACCEPTABLE TO WASHINGTON.

15. IF WE ARE TO REMAIN ON SCHEDULE AND SIGN THE
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PAGE 03 PARIS 12382 02 OF 02 281915Z

AGREEMENT ON MAY 5, IT IS NECESSARY THAT FINAL
AGREEMENT ON THE TEXT BE RECEIVED FROM WASHINGTON BY
COB FRIDAY, APRIL 30, ALONG WITH THE AUTHORITY TO
SIGN THE AGREEMENT. WE TRUST THE DEPT WILL PROVIDE
THE EMBASSY SOME LEEWAY IN THE ACTUAL WORDS TO BE
NEGOTIATED IN THE TEXT.
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